

U.S. Serial No. 09/817,005
Response to the Office action of December 4, 2006

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Remarks

The applicant has carefully considered the final official action dated December 4, 2006, and the references it cites. By way of this response, the applicant has amended the title of the application. In addition, the applicant has canceled claim 27 without prejudice and amended claims 3, 10, 11, 13, 20, 22, 26, and 28-30. No new matter has been added. In view of the foregoing amendments and the following remarks, the applicant respectfully traverses the rejections and believes the application is in condition for allowance.

I. Objection To The Specification

In the final action, the title was objected to as not being sufficiently descriptive. In light of the examiner's suggestion of terms to appear in the title, the applicant has amended the title to "Methods and Apparatus to Perform Speech Reference Enrollment Based on Input Speech Characteristics." The applicant believes the amended title is sufficiently descriptive, and the applicant respectfully requests withdrawal of the objection.

II. The Non-Statutory Obviousness-Type Double Patenting Rejections

In the final action, claims 1, 2, 5-12, 17, 18, 23, 24, and 26 were rejected on the ground of non-statutory obviousness-type double patenting as unpatentable over particular claims of U.S. Patent No. 6,012,027 ('027). In particular, claims 1, 2, and 5-10 were indicated as not being patentably distinct from claims 1-9 of the '027 patent; claims 11 and 12 were indicated as not being patentably distinct from claims 10-14 of the '027 patent; claims 17 and 18 were indicated as not being patentably distinct from claims 15-20 of the '027 patent, and claims 23, 24, and 26 were indicated as not being patentably distinct from claims 7 and 8 of the '027 patent. The applicant has filed a terminal disclaimer concurrently with this response in compliance with 37 C.F.R. §1.321 to obviate the non-statutory

U.S. Serial No. 09/817,005

Response to the Office action of December 4, 2006

obviousness-type double patenting rejections. Accordingly, the applicant respectfully requests withdrawal of the non-statutory obviousness-type double patenting rejections.

III. The § 103(a) Rejection of Claim 27

In the final action, claim 27 was rejected under 35 U.S.C. § 103(a) as unpatentable over Boutaud et al. in view of general knowledge in the art. However, claim 30 was indicated as allowable if rewritten in independent form to include all of the elements of the base claim and any intervening claims. To advance the application toward allowance, by way of this response, the applicant has canceled claim 27 without prejudice and amended claim 30 to incorporate the elements of canceled claim 27. In addition, the applicant has amended claims 28 and 29 to depend from claim 30. Accordingly, the applicant respectfully submits that independent claim 30 and claims 28, 29, 31, and 32 dependent thereon are in condition for allowance and respectfully requests withdrawal of the § 103(a) rejection.

IV. Claim Informalities

In the final action, claims 3, 4, 13-16, 19-22, 25, and 28-32 were objected to as being dependent on a rejected base claim but indicated as allowable if rewritten in independent form to include all of the elements of the base claim and any intervening claims.

Concerning claims 3, 4, 13-16, 19-22, and 25, the independent base claims have been rejected on the ground of non-statutory obviousness-type double patenting as unpatentable over particular claims of U.S. Patent No. 6,012,027. As discussed above, a terminal disclaimer has been filed concurrently with this response to obviate the non-statutory obviousness-type double patenting rejections. Thus, the applicant respectfully submits that dependent claims 3, 4, 13-16, 19-22, and 25 are in condition for allowance as depending from respective allowable independent claims. Accordingly, the applicant respectfully requests withdrawal of the objections to dependent claims 3, 4, 13-16, 19-22, and 25.

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U.S. Serial No. 09/817,005
Response to the Office action of December 4, 2006

Concerning claims 28-32, as discussed above, the applicant has canceled independent claim 27 and amended claim 30 to incorporate the elements of canceled claim 27. In addition, the applicant has amended claims 28 and 29 to depend from claim 30. Thus, independent claim 30 and claims 28, 29, 31, and 32 dependent thereon are in condition for allowance. Accordingly, the applicant respectfully requests withdrawal of the objections to claims 28-32.

Conclusion

Reconsideration of the application and allowance thereof are respectfully requested. If there is any matter that the examiner would like to discuss, the examiner is invited to contact the undersigned representative at the telephone number set forth below.

Respectfully submitted,



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